

**FOR SETTLEMENT DISCUSSIONS ONLY
NOT ADMISSIBLE AS EVIDENCE UNDER FED. R. EVID. 408**

S. H. Bell Penalty Summary

I.	FESOP Permit Violations		
A.	Pennsylvania and Ohio FESOP		
i.	Economic Benefit Component		\$ 5,074
ii.	Gravity Component		\$ 90,000
	Pennsylvania FESOP Permit	(12/31/00 – 8/28/02)	
	Ohio FESOP Permit Stateline	(12/31/00 – 8/28/02)	
	Ohio FESOP Permit Little England	(12/31/00 – 8/28/02)	
		Subtotal	\$ 95,074
II.	PTI Violations		
A.	Failure to have a PTI		
i.	Economic Benefit Component		\$ 500
ii.	Gravity Component		\$ 15,000
	Boxing and Bagging System	(1997 – 7/24/01)	
		Subtotal	\$ 15,500
	B.	Failure to install new baghouse on Hammermill	
	i.	Economic Benefit Component (cost of new baghouse)	\$ 10,547
	ii.	Gravity Component	\$ 17,000
		Baghouse Installation	(12/2000 – 5/2001)
		Subtotal	\$ 27,547
III.	NSPS Violations		
A.	Failure to comply with NSPS OOO		
i.	Economic Benefit Component		\$ 15,000
ii.	Gravity Component		\$125,000
	Length of Violation for NSPS OOO		
	Conveyor from TP#2 to TP#3	(1994 – 7/01)	
	Conveyor from TP#4 to TP#5	(1994 – 7/01)	
	Conveyor from TP#7 to TP#8	(1994 – 7/01)	
	Single Deck Screen	(1994 – 7/01)	
	Storage Bin	(1994 – 7/01)	
	Hammer Mill	(1994 – 7/01)	
		Subtotal	\$140,000
IV.	Size of Violator		
	S.H. Bell's net worth is unknown but is estimated to be between		\$ 10,000
	\$1,000,000 – 5,000,000	Subtotal	\$ 10,000
	Totals	I.	\$ 95,074
		II.	\$ 43,047
		III.	\$140,000
		IV.	\$ 10,000
			\$288,121
V.	Inflation Adjustment of Gravity Component		
	Gravity + 10% increase		\$313,821
VI.	Other Adjustments		(\$ 0)
		Adjusted Total	\$313,821